

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Education Nevada State Board for Career and Technical Education

The Nevada State Board of Education/Nevada State Board for Career and Technical Education will hold a public hearing on **June 16, 2016 to be video conference in the Board Room at the Nevada Department of Education Offices, 700 East Fifth Street Carson City Nevada and 9890 South Maryland Parkway, Las Vegas, Nevada.**

The purpose of the hearing is to receive comments from all interested persons regarding the amendments/adoptions/repeal of regulations of the Nevada Administrative Code (NAC) 385.

The time for the hearing is scheduled as follows:

9:35 A.M. Public Hearing and Possible Adoption of proposed amendments to R112-15, NAC Chapter 388 to establish a process for grants from the Bullying Prevention Account (NRS 388.125 and 388.1327)

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. R112-15 is needed to establish protocols and oversight for school districts on how to apply for the Bully Prevention Account through the Nevada Department of Education.
2. R112-15 gives the Director of the Office for a Safe and Respectful Learning Environment in the Nevada Department of Education powers to make grant funds available to school districts. If the grant is for more than \$10,000 the State Board of Education must take action upon the grant application.
3. There is no economic effect of the regulation on the business that it regulates and no impact on the public.
4. The estimated cost to the agency for enforcement of the proposed regulation is none.
5. There is no duplication or overlap of regulations of state or local government agencies.
6. This regulation is not required pursuant to federal law.
7. There is no federal law affecting or overlapping the proposed regulations.
8. The proposed regulations do not establish a new fee nor increase an existing fee of the regulating agency

Persons wishing to comment upon the proposed action of the State Board of Education may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the, Nevada Department of Education, 700 E. 5th St, Carson City, NV 89701 June 2, 2016. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Department of Education /State Board of Education may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Nevada Department of Education, 700 East Fifth St, Carson City, Nevada 89701 and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies, if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations: Nevada Department of Education, both locations; 17 Nevada County School District Offices; 16 Nevada Public Libraries; both locations; and Nevada State Library and Archives.

**REVISED PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

LCB File No. R112-15

March 17, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 388.1327.

A REGULATION relating to education; establishing the process whereby school districts may apply for a grant of money from the Bullying Prevention Account; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Bullying Prevention Account and requires the State Board of Education to adopt regulations establishing a process whereby school districts may apply for a grant of money from the Account. (NRS 388.1325, 388.1327) This regulation establishes a process to allow a school district to apply for funding to carry out statutory provisions relating to the provision of a safe and respectful learning environment in public schools in this State.

Section 1. Chapter 388 of NAC is hereby amended by adding thereto a new section to read as follows:

1. At least one time each calendar quarter, the Director of the Office for a Safe and Respectful Learning Environment shall determine the amount of money available in the Bullying Prevention Account created by NRS 388.1325, as amended by section 8 of Senate Bill No. 504, chapter 115, Statutes of Nevada 2015, at page 413. If the amount available in the Account is greater than \$1,000, the Director must provide notice to each school district that the school district may apply for a grant from the Account. Such notice must set forth the required information to be included in the application, including, without limitation, the requirements set forth in subsection 2.

2. *To be eligible to receive a grant, a school district that applies for a grant must include in the application the manner in which the applicant will measure the effectiveness of the programs for which the money will be used.*

3. *If the amount of money a school district seeks through an application is less than \$10,000, the Director must evaluate each application submitted pursuant to subsection 1 and determine which applications to approve.*

4. *If the amount of money a school district seeks through an application is \$10,000 or more, the Director must:*

- (a) Evaluate each application submitted pursuant to subsection 1; and*
- (b) Submit a recommendation regarding whether to approve each application to the State Board of Education.*

5. *As soon as practicable after the Director submits his or her recommendations pursuant to subsection 4, the State Board of Education shall:*

- (a) Consider each application and determine which applications to approve; and*
- (b) Inform the Director of each school district for which a grant is approved.*

BRIAN SANDOVAL
Governor

STEVE CANAVERO, Ph.D.
*Superintendent
of Public Instruction*

STATE OF NEVADA



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**SMALL BUSINESS IMPACT STATEMENT
PURSUANT TO NRS 233B.0608**

Date: May 9, 2016

Re: Public Hearing to Adopt Regulations Concerning a Safe and Respectful Learning Environment,
scheduled for June 16, 2016 at 9:00 a.m.

I, Steve Canavero, being the duly appointed Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed permanent regulations to be added the NAC Chapter 388 concerning a safe and respectful learning environment in public schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulations provide procedures and policies related to bullying and safe schools.
2. A concerted effort was made to determine any economic burden. The Department of Education has relied legislative testimony during the consideration and passage of Senate Bill 504 and consultation with local school districts and other experts.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the scope of the Department's budget and legislatively approved activities and present no new significant cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Canavero".

STEVE CANAVERO, Ph.D.
Superintendent of Public Instruction